

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

GEORGE SAMPSON; GREGORY PARKER; EDNA MCKENZIE; GLENN JONES; GWEN BAKER; JAMES HOLIDAY; CHERRY HOLIDAY; LAWRENCE REESE; ALETHIA BARRY; WILLIAM BROWN; GLENDA BROWN; KELVIN THOMAS; JACKIE THOMAS; PATRICIA WILSON; STEPHANIE ECHOLS; NADINE WILLIS; LEWINSTON PETGRAVE; and HYACINTH PETGRAVE,

Plaintiffs,

v.

1:13-cv-0495-WSD

ALL AMERICAN HOME ASSISTANCE SERVICES, INC., a Georgia corporation; DEREK HARRIS; LAWRENCE SPEAR; TIMOTHY SPEAR; ASIM SPEAR; LYNETTE TOWNES; TAYLOR YVET BAILEY (a.k.a. YVETTE M. BAILEY); RICK DAVIDSON; KAREN JOHNSON; SALEEMAH CANNON; SHAUNTA MOORE; TENEPHIUS (a.k.a. TONY) WILLIAMS; and DERRICK MILLIN,

Defendants.

ORDER

This matter is before the Court on Plaintiffs' Motion to Dismiss Without Prejudice [94], Motion to Extend Discovery [86], and Motion to Compel [90] and on Defendant Taylor Yvet Bailey's Motion to Remove Defendant [81].

On October 7, 2013, Plaintiff moved to dismiss this action without prejudice pursuant to Federal Rule of Civil Procedure 41(a)(2). Defendants do not oppose the motion.

Rule 41(a)(2) provides

Except as provided in Rule 41(a)(1), an action may be dismissed at the plaintiff's request only by court order, on terms that the court considers proper. If a defendant has pleaded a counterclaim before being served with the plaintiff's motion to dismiss, the action may be dismissed over the defendant's objection only if the counterclaim can remain pending for independent adjudication. Unless the order states otherwise, a dismissal under this paragraph (2) is without prejudice.

Fed. R. Civ. P. 41(a)(2). As Defendants do not oppose Plaintiffs' motion voluntarily to dismiss this action without prejudice, the motion is granted. All other pending motions in this case are denied as moot.

Accordingly,

IT IS HEREBY ORDERED that Plaintiffs' Motion to Dismiss Without Prejudice [94] is **GRANTED**. This action is **DISMISSED WITHOUT PREJUDICE**. Each party is to bear his, her, or its own costs.

IT IS FURTHER ORDERED that Plaintiffs' Motion to Extend Discovery [86] is **DENIED AS MOOT**.

IT IS FURTHER ORDERED that Plaintiffs' and Motion to Compel [90] is **DENIED AS MOOT**.

IT IS FURTHER ORDERED that Defendant Taylor Yvet Bailey's Motion to Remove Defendant [81] is **DENIED AS MOOT**.

SO ORDERED this 4th day of November 2013.


WILLIAM S. DUFFEY, JR.
UNITED STATES DISTRICT JUDGE